

Senate File 452

H-1423

1 Amend the amendment, H-1404, to Senate File 452,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 46, after line 5 by inserting:

5 <DIVISION \_\_\_\_\_

6 IGNITION INTERLOCK

7 Sec. \_\_\_\_\_. Section 321J.2, subsection 3, paragraph  
8 c, unnumbered paragraph 1, Code 2013, is amended to  
9 read as follows:

10 Assessment of a fine of one thousand two hundred  
11 fifty dollars. However, ~~in the discretion of the~~  
12 ~~court,~~ if no personal or property injury has resulted  
13 from the defendant's actions, the court ~~may~~ shall waive  
14 no less than four hundred fifty dollars and up to ~~six~~  
15 ~~hundred twenty-five dollars~~ one-half of the amount  
16 of the fine when the defendant presents to the court  
17 at the end of the minimum period of ineligibility a  
18 temporary restricted license issued pursuant to section  
19 321J.20.

20 Sec. \_\_\_\_\_. Section 321J.20, subsections 1 and 2,  
21 Code 2013, are amended to read as follows:

22 1. a. The department may, on application, issue  
23 a temporary restricted license to a person whose  
24 noncommercial driver's license is revoked under this  
25 chapter allowing the person to drive to and from the  
26 person's home and specified places at specified times  
27 which can be verified by the department and which are  
28 required by ~~the~~ any of the following:

29 (1) The person's full-time or part-time  
30 employment.

31 (2) The person's continuing health care or the  
32 continuing health care of another who is dependent upon  
33 the person.

34 (3) The person's continuing education while  
35 enrolled in an educational institution on a part-time  
36 or full-time basis and while pursuing a course of study  
37 leading to a diploma, degree, or other certification of  
38 successful educational completion.

39 (4) The person's substance abuse treatment, and to  
40 attend groups whose purpose is to eliminate or reduce  
41 alcohol or other drug use.

42 (5) The person's court-ordered community service  
43 responsibilities, and appointments.

44 (6) Appointments with the person's parole or  
45 probation officer.

46 (7) Transport of the person's dependent minor child  
47 to and from school when public school transportation is  
48 not available for the child.

49 (8) Transport of the person's dependent minor child  
50 to and from child care when necessary for the person's

1 full-time or part-time employment.  
2 b. The department may also issue a temporary  
3 restricted license under this subsection that allows  
4 the person to drive for work purposes within the scope  
5 of the person's full-time or part-time employment.  
6 Any vehicle operated within the scope of the person's  
7 full-time or part-time employment must be equipped  
8 at all times with an ignition interlock device of a  
9 type approved by the commissioner of public safety,  
10 notwithstanding any provision of section 321J.4,  
11 321J.9, or 321J.12 to the contrary.  
12 c. The department may issue a temporary restricted  
13 license under this subsection only if the person's  
14 driver's license has not been revoked previously under  
15 section 321J.4, 321J.9, or 321J.12 and if any of the  
16 following apply:  
17 (1) The person's noncommercial driver's license is  
18 revoked under section 321J.4 and the minimum period of  
19 ineligibility for issuance of a temporary restricted  
20 license has expired. This subsection shall not apply  
21 to a revocation ordered under section 321J.4 resulting  
22 from a plea or verdict of guilty of a violation of  
23 section 321J.2 that involved a death.  
24 (2) The person's noncommercial driver's license is  
25 revoked under section 321J.9 and the person has entered  
26 a plea of guilty on a charge of a violation of section  
27 321J.2 which arose from the same set of circumstances  
28 which resulted in the person's driver's license  
29 revocation under section 321J.9 and the guilty plea  
30 is not withdrawn at the time of or after application  
31 for the temporary restricted license, and the minimum  
32 period of ineligibility for issuance of a temporary  
33 restricted license has expired.  
34 (3) The person's noncommercial driver's license is  
35 revoked under section 321J.12, and the minimum period  
36 of ineligibility for issuance of a temporary restricted  
37 license has expired.  
38 ~~b.~~ d. A temporary restricted license may  
39 be issued under this subsection if the person's  
40 noncommercial driver's license is revoked for two years  
41 under section 321J.4, subsection 2, or section 321J.9,  
42 subsection 1, paragraph "b", and the first three  
43 hundred sixty-five days of the revocation have expired.  
44 ~~e.~~ e. This subsection does not apply to a person  
45 whose license was revoked under section 321J.2A or  
46 section 321J.4, subsection 4 or 6, or to a person whose  
47 license is suspended or revoked for another reason.  
48 ~~d.~~ f. Following the applicable minimum period  
49 of ineligibility, a temporary restricted license  
50 under this subsection shall not be issued until the

1 applicant installs an ignition interlock device of a  
2 type approved by the commissioner of public safety on  
3 all motor vehicles owned or operated by the applicant  
4 in accordance with section 321J.2, 321J.4, 321J.9,  
5 or 321J.12, or this subsection. Installation of an  
6 ignition interlock device under this subsection shall  
7 be required for the period of time for which the  
8 temporary restricted license is issued and for such  
9 additional period of time following reinstatement as is  
10 required under section 321J.17, subsection 3.

11 2. a. Notwithstanding section 321.560, the  
12 department may, on application, and upon the expiration  
13 of the minimum period of ineligibility for a temporary  
14 restricted license provided for under section  
15 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary  
16 restricted license to a person whose noncommercial  
17 driver's license has either been revoked under this  
18 chapter, or revoked or suspended under chapter 321  
19 solely for violations of this chapter, or who has been  
20 determined to be a habitual offender under chapter  
21 321 based solely on violations of this chapter or on  
22 violations listed in section 321.560, subsection 1,  
23 paragraph "b", and who is not eligible for a temporary  
24 restricted license under subsection 1. However, the  
25 department may not issue a temporary restricted license  
26 under this subsection for a violation of section  
27 321J.2A or to a person under the age of twenty-one  
28 whose license is revoked under section 321J.4, 321J.9,  
29 or 321J.12. A

30 (1) If the person has no more than one previous  
31 revocation under this chapter, a temporary restricted  
32 license issued under this subsection may allow the  
33 person to drive to and from the person's home and  
34 specified places at specified times which can be  
35 verified by the department and which are required by  
36 any of the following:

37 (a) The person's full-time or part-time employment.

38 (b) The person's continuing health care or the  
39 continuing health care of another who is dependent upon  
40 the person.

41 (c) The person's continuing education while  
42 enrolled in an educational institution on a part-time  
43 or full-time basis and while pursuing a course of study  
44 leading to a diploma, degree, or other certification of  
45 successful educational completion.

46 (d) The person's substance abuse treatment and to  
47 attend groups whose purpose is to eliminate or reduce  
48 alcohol or other drug use.

49 (e) The person's court-ordered community service  
50 responsibilities.

1     (f) Appointments with the person's parole or  
2 probation officer.  
3     (g) Transport of the person's dependent minor child  
4 to and from child care when necessary for the person's  
5 full-time or part-time employment.  
6     (2) If the person has more than one previous  
7 revocation under this chapter, a temporary restricted  
8 license issued under this subsection may allow the  
9 person to drive to and from the person's home and  
10 specified places at specified times which can be  
11 verified by the department and which are required by  
12 the any of the following:  
13     (a) The person's full-time or part-time  
14 employment.  
15     (b) The person's continuing education while  
16 enrolled in an educational institution on a part-time  
17 or full-time basis and while pursuing a course of study  
18 leading to a diploma, degree, or other certification of  
19 successful educational completion, or.  
20     (c) The person's substance abuse treatment and to  
21 attend groups whose purpose is to eliminate or reduce  
22 alcohol or other drug use.>  
23     2. By renumbering as necessary.

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WOLFE of Clinton

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R. OLSON of Polk